

Notice of Allowability

Application No.

09/592,095

Examiner

James R. Brittain

Applicant(s)

CASEY, WILLIAM E.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's communication of November 29, 2006.
2. ☒ The allowed claim(s) is/are 18,20,24-26,28 & 29; renumbered 1-7, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

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The following is an examiner's statement of reasons for allowance:

Gatenby et al. (US 5401011, figures 1-3, 5) is the closest art of record and teaches tool structure for a strap or a V-belt comprising a base 1; an abutment surface 14 perpendicular to the base surface a first spindle 7, a first cam 3 and a cover 2 pivotally secured to the cam shaft spindle and a second cam supported by a distinct second spindle.

As to claim 18, Gatenby et al. fails to teach in combination the further structure comprising the portion found on lines 17-25 as reproduced below as this structure provides a very different design and functional use than that of the device of Gatenby et al. and there is no suggestion in the art of record to provide such structure.

a pedestal having one end secured to said base surface and extending perpendicularly away from said base surface;

a cover slidably engaging another end of said pedestal and operably arranged for sliding over said cam and an abutment between said retain position and said release position whereby said rope is retained between said abutment surface and said first cam surface when said cover is in a retain position and for permitting engagement and withdrawal of said

rope from between said abutment surface and said first cam surface when said cover is in a release position.

Additionally, the cam of Gatenby et al. is not stated as functioning as claimed in lines 11-16 so that when tension is applied to the rope in one direction, the rope is seized between the cam surface and abutment surface by the cam rotating toward the abutment surface and when tension is applied to the rope in an opposite direction, the rope is released from between the cam and abutment surface permitting withdrawal of the rope.

In regard to claim 20, Gatenby et al. fails to teach in combination the further structure comprising the portion found on lines 24-31 as reproduced below as this structure provides a

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very different design and functional use than that of the device of Gatenby et al. and there is no suggestion in the art of record to provide such structure.

said cover means has one end which is rotatable over space between said abutment surface and cam surface and a tail end;

a pin extending from said base surface on a side of said abutment means opposite said cam providing that, when said rope is positioned between said abutment surface and said cam surface and looped around said abutment surface between said pin and said abutment means, then when said cover means is rotated to said retain position, said tail end of said cover means extends over space between said pin and said abutment means.

Additionally, the cam of Gatenby et al. is not stated as functioning as claimed in lines 11-16 so that when tension is applied to the rope in one direction, the rope is seized between the cam surface and abutment surface by the cam rotating toward the abutment surface and when tension is applied to the rope in an opposite direction, the rope is released from between the cam and abutment surface permitting withdrawal of the rope.

As to claim 24, Gatenby et al. fails to teach in combination the further structure comprising the portion found on lines 21-29 as reproduced below as this structure provides a very different design and functional use than that of the device of Gatenby et al. and there is no suggestion in the art of record to provide such structure.

a second cam mounted on another end of said spindle;

said second cam having a second cam surface perpendicular to said base surface and convex toward said abutment surface; and

said second cam surface operably arranged to permit positioning a rope between said second cam surface and said abutment surface providing that when tension is applied to said rope in one direction, said rope is seized between said second cam surface and abutment surface by said second cam rotating toward said abutment means and when tension is applied to said rope in an opposite direction, said rope is seized by said first cam.

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Additionally, the cams of Gatenby et al. are not stated as functioning as claimed in lines 11-16 and 25-29 so that when tension is applied to the rope in one direction, the rope is seized between the cam surface and abutment surface by the cam rotating toward the abutment surface and when tension is applied to the rope in an opposite direction, the rope is released from between the cam and abutment surface permitting withdrawal of the rope.

In regard to claim 25, this claim is allowable as it incorporates the same language as claim 24 thereby placing the two cams having the same functional characteristics as claim 24 on a single spindle of a device with a cover and further includes the below reproduced limitations found on lines 30-35 as reproduced below as this structure provides a very different design and functional use than that of the device of Gatenby et al. and there is no suggestion in the art of record to provide such structure.

spring means having one spring end abutting said first cam and a second spring end abutting said second cam operably arranged to bias said first cam surface toward said abutment means and said second cam surface toward said abutment means;

means for manually rotating said first and second cams away from said abutment means.

As to claim 28, Gatenby et al. fails to teach in combination the further structure comprising the portion found on lines 18-51 as reproduced below as this structure provides a very different design and functional use than that of the device of Gatenby et al. and there is no suggestion in the art of record to provide such structure.

a second cam rotatably mounted on said first spindle;

said second cam having a second cam surface perpendicular to said base surface and convex toward said second abutment surface;

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said second cam operably arranged to permit positioning a rope between said second cam surface and said second abutment surface and to provide that when tension is applied to said rope in one direction, said rope is seized between said second cam surface and second abutment surface by said second cam rotating toward said second rope abutment and when tension is applied to said rope in an opposite direction, said rope is released from tension and can be removed from said cleat;

a second spindle having one end mounted on said base surface and extending perpendicularly away from said base surface;

said second spindle positioned to limit rotation of said first cam away from said first abutment and to limit rotation of said second cam away from said second abutment surface;

a spring positioned with one end abutting said first cam and another end abutting said second cam operably arranged to bias said first cam surface toward said first abutment surface and to bias said second cam surface toward said second abutment surface;

a first pedestal having one end secured to said base surface and extending perpendicularly away from said base surface;

a first cover slidably mounted on another end of said first pedestal and operably arranged to slide between a position where said rope is restrained from escaping from between said first abutment surface and said first cam surface by a first end of said first cover and a position where said rope is permitted to be engaged and withdrawn from between said first abutment surface and said first cam surface;

a second pedestal having one end secured to said base surface and extending perpendicularly away from said base surface;

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a second cover slidably mounted on another end of said second pedestal and operably arranged to slide between a position where said rope is restrained from escaping from between said second abutment surface and said second cam surface by a first end of said second cover and a position where said rope is permitted to be engaged and withdrawn from between said second abutment surface and said second cam surface.

Additionally, the cam of Gatenby et al. is not stated as functioning as claimed in lines 13-17 so that when tension is applied to the rope in one direction, the rope is seized between the cam surface and abutment surface by the cam rotating toward the abutment surface and when tension is applied to the rope in an opposite direction, the rope is released from between the cam and abutment surface permitting withdrawal of the rope.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Replacement sheets 1 and 2, received August 10, 2005, comprising figures 1-7 have been entered and approved. Replacement sheets 3 and 5, received April 23, 2003, comprising figures 8, 9, 12 and 13 have been entered and approved. Replacement sheet 2, received May 26, 2005, comprising figures 10 and 11 have been entered and approved. The replacement sheet received March 7, 2005 comprising figure 14 has been entered and approved.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Brittain whose telephone number is (571) 272-7065.

The examiner can normally be reached on M-F 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James R. Brittain/
Primary Examiner
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JRB